FLATHEAD COUNTY PLANNING AND ZONING OFFICE CONDITIONAL USE PERMIT REPORT #FCU-20-02 MANUFACTURED HOME PARK RANDAL REMINGTON MARCH 23, 2020

I. GENERAL INFORMATION

A. Project Description

A report to the Flathead County Board of Adjustment regarding a request by Ryan Remington on behalf of Randal Remington for a conditional use permit to allow for a manufactured home park within the Willow Glen Zoning District. The proposed manufactured home park would consist of 13 rental spaces with 0.10 acres of open space.

B. Application Personnel

1. Owner/Applicant

Randal Remington 639 North Juniper Bay Road Somers, MT 59932

C. Process Overview

1. Land Use Advisory Committee/Council

The proposed land use is not located within the advisory jurisdiction of a Land Use Advisory Committee.

2. Board of Adjustment

The Flathead County Board of Adjustments will conduct a public hearing on the proposed conditional use permit on April 7, 2020 at 6:00 P.M. in the 2nd Floor Conference Room of South Campus Building located at 40 11th Street West in Kalispell. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, located on the second floor of the South Campus Building.

II. PROPERTY CHARACTERISTICS

A. Property Location and Size

The subject property is located at 616 Willow Glen Drive, Kalispell (see Figure 1). The property is 2.35 acres and is legally described as Block 1, Lot 11 of Greenacres in Section 20, Township 28 North, Range 21 West P.M.M., Flathead County, Montana.

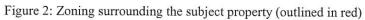
B. Existing Land Use(s) and Zoning

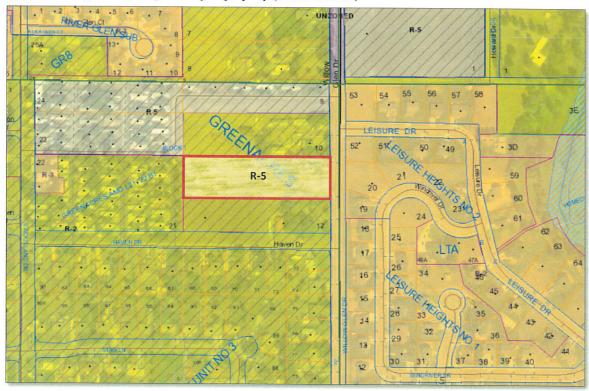
The property is zoned R-5 Two Family Residential. The R-5 Two Family Residential zoning designation is defined as 'A residential district with minimum lot areas. Development within the district will require all public utilities, and all community facilities. A duplex is allowed in this district.' The property is currently used for a residence and recently was granted a zoning map amendment from R-2, One Family Limited Residential to R-5, Two Family Residential.

C. Adjacent Land Use(s) and Zoning

The property recently underwent a Zoning Map Amendment from R-2 to R-5 which was finalized March 23, 2020. The properties that surround the subject property are similarly zoned residential and there is county R-5 zoning to the north and north east with the city of Kalispell to the east across Willow Glen Drive (Figure 2). The general character of the surrounding area is a mix of larger lot residential, manufactured home parks and the city of Kalispell across Willow Glen Drive to the east.

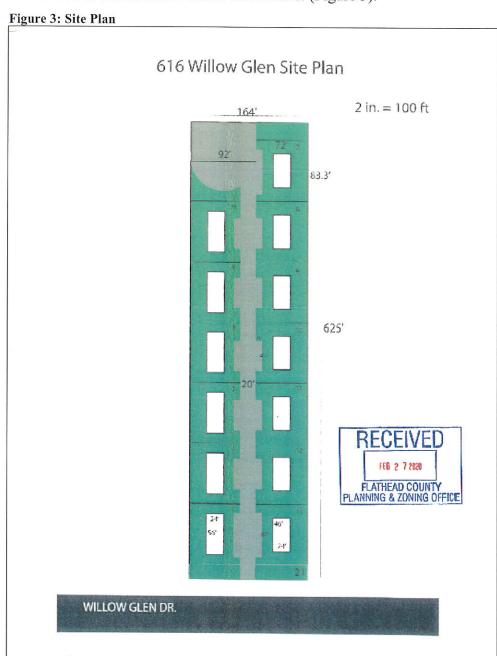
Figure 1: Aerial view of the subject property (outlined in red)





D. Summary of Request

The applicant is requesting a conditional use permit to allow for the use of property as a manufactured home park. The manufactured home park will consist of 13 spaces on approximately 2.35 acres. The development will be served by a shared well and septic system and will be accessed from Willow Glen Drive. (Figure 3).



III. COMMENTS

A. Agency Comments

The following agencies were sent referrals on March 2, 2020:

- Flathead County Sheriff
- Public Works/Flathead County Road Department
- Flathead County Solid Waste

- Flathead City-County Health Department
- Flathead County Weeds & Parks Department
- Flathead County Address Coordinator/GIS Department
- BPA
- MT Fish, Wildlife and Parks
- DNRC
- DEQ Subdivision Section
- School District No. 5
- Kalispell Planning Department
- South Kalispell Fire District

The following is a summarized list of agency comment received as of the date of the completion of this staff report:

- Bonneville Power Administration
 - Comment: "At this time, BPA does not object to this request, as the property is located 2.23 miles away from any BPA transmission line or structures"
- Flathead City-County Environmental Health Department
 - o Comment:
 - "This office objects to operation of a Trailer Court at the above referenced property.
 - All Trailer Courts must go through DEQ subdivision review. They will need to hire a consultant or engineer to do that work.
 - All Trailer Courts need to go through plan review with DPHHS...
 - They will need to obtain proper septic permits from FCCHD once subdivision approval is granted by DEQ.
 - They will need to obtain a trailer court health license once the other steps are completed."
- South Kalispell Volunteer Fire Department
 - Omment: "At this time, the South Kalispell Fire Department has no objection to the development as proposed. Access is adequate to meet our needs in an emergency situation. It seems this would be a good use for this piece of property. Our agency fully supports this proposed development."
- Flathead County Road and Bridge Department
 - Comment: "At this point the County Road Department does not have any comments on this request."

Public Comments

Property owners within 150 feet of the subject property were mailed notice of the application and associated public hearing on March 18, 2020, pursuant to Section 2.06.040(3) of the Flathead County Zoning Regulations. Legal notice of the public hearing on this application was published in the March 22, 2020 edition of the Daily Interlake.

As of the date of the completion of this staff report, no written public comments have been received to date regarding the requested conditional use permit. It is anticipated any individual wishing to provide public comment on the proposal will do so during the public

hearing scheduled for April 7, 2020. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing.

IV. CRITERIA REQUIRED FOR CONSIDERATION

Per Sections 2.06.080 and 2.06.100 of the Flathead County Zoning Regulations (FCZR), what follows are criteria required for consideration of a Conditional Use Permit and suggested findings of fact based on review of each criterion.

A. Site Suitability

1. Adequate Usable Space

Flathead County Zoning Regulations (Section 4.12) indicate 'the manufactured home park shall not exceed the residential density required for the districts as designated in Chapter III." Section 3.14 (R-5, Two Family Residential) bulk and dimensional requirements indicate the minimum lot size is 5,400 square feet. Based upon staff's site visit and the submitted site plan, it appears the subject property has adequate useable space to accommodate the proposed manufactured home park.

Section 4.7.24(e)(i) of the Flathead County Subdivision Regulations requires 11% of the combined gross area of the land dedicated to lots be dedicated to parkland. If the applicant does not wish to dedicate the land to parkland then cash-in-lieu is acceptable. The application states, "With 102,500 square feet of the property 15,000 – 18,000 square feet would be manufactured homes, 18,500 square feet for road leaving 76,500 square feet of yard/additional space." The applicant also indicates the park area will be maintained by the manufactured home park owner. The manufactured home park is proposing 0.1 acres of open space. As this does not meet the requirement for parkland dedication for this project, the option of either parkland and cash-in-lieu or cash-in-lieu would be possible with the subdivision application.

Finding #1 – There appears to be adequate usable space on the subject property for the proposed use because the proposed development meets density standards, there are options to meet the required open space, and all the proposed lots (spaces) meet the minimum requirement for space sizes as outlined in the Flathead County Subdivision Regulations and the Flathead County Zoning Regulations.

2. Adequate Access

The property is located at 616 Willow Glen Drive. Willow Glen Drive is a two lane paved MDT road within a 60-foot easement. The applicants will be required to obtain or update an approach permit to ensure compliance with the Flathead County Road and Bridge Department.

According to the application, "Access has been discussed with the Department of Transportation to have one access from Willow Glen Drive."

The manufactured home park will have one access and the road within the manufactured home park will be paved to Flathead County Road and Bridge Department Standards (24 feet). While the applicant has indicated 20 feet for the internal road, they have been made aware of the 24 feet requirement. It appears by staff's calculations the proposal has enough available property to accommodate the 24 feet road requirement. Flathead County Road and Bridge Department had no comment on the proposal.

Finding #2 – The access appears adequate for the proposed use because the property has legal and physical access to Willow Glen Drive that meet the standards of the Flathead County Zoning Regulations and the proposed approach will require review through MDT.

3. Absence of Environmental Constraints

The property is relatively flat and there are no wetlands, streams, or creeks located on the subject property. The property is not located in the Wildland Urban Interface (WUI). The property is located on FEMA FIRM panel 30029C1820J and marked as an unshaded Zone X which is an area determined to be outside the 0.2% annual chance floodplain.

Finding #3 – The site appears suitable for the proposed use because the property has no apparent creeks, steams or wetlands, is relatively flat, and is outside the Special Flood Hazard Area.

B. Appropriateness of Design

1. Parking Scheme

The Flathead County Zoning Regulations require two off street parking spaces for each single-family residence including manufactured homes. The application indicates each manufactured home space is large enough to accommodate two off street parking spaces. Section 4.5.6(c) requires a minimum of two parking spaces for each manufactured home lot and in addition, guest parking at the ratio of one space for every five units. The proposed manufactured home park will require 3 guest parking spaces. Three of the lots will have parking areas which are large enough to accommodate the required two off street parking areas for the lot as well as one additional guest parking spot. The permit will be conditioned to ensure the parking requirements are met.

2. Traffic Circulation

The property is located on Willow Glen Drive. Willow Glen Drive is an MDT maintained road within a 60 foot easement at this location.

Based on the site plan, the approach appears adequate for ingress and egress. The private road within the manufactured home park will provide access to all proposed spaces within the park with a 92 feet in diameter cul-de-sac. The driving aisles will be conditioned to be 24 feet wide allowing for two-way traffic.

Based on the submitted site plan and staff's calculations, the driving aisles, when conditioned, would meet applicable regulations. The traffic circulation appears to be appropriately designed.

Finding #4 – The parking and traffic circulation appear adequate for the manufactured home park with conditions because the property is large enough to accommodate the increase in traffic circulation and the required parking spaces.

3. Open Space

The proposed manufactured home park site plan currently shows 0.1 acres of open space to be maintained by the manufactured home park owner. During subdivision review the applicant is able to meet the parkland requirement by either dedication of land, a combination of dedicated parkland and cash-in-lieu or cash-in-lieu. The application indicates "With a 1200 square feet home each lot would have an additional 4800 square feet of open space." The permitted lot coverage for the R-5 zoning designation is 40%. The manufactured home park will be required to comply with this permitted lot coverage standard.

4. Fencing/Screening

The application states, "Fencing would surround the borders of the Manufactured Home Park. No fencing requirements exist for manufactured home parks.

5. Landscaping

The application proposes not landscaping and no landscaping requirements exist for manufactured home parks.

6. Signage

The application indicates an entrance sign that complies with Flathead County Zoning Regulations may be erected at the park entrance. The applicant will be required to comply with the Chapter VII of the Flathead County Zoning Regulations.

7. Lighting

The application states, "lighting can be provided on the road, additional lighting will be dependent on the leaser of the lot." All future lighting will be required to comply with the lighting performance standards set forth in Section 5.12 FZCR.

Finding #5 – The proposed uses appears to be adequately designed because the manufactured home park complies with Flathead County Zoning Regulations and the conditional use permit will be conditioned to ensure compliance.

C. Availability of Public Services and Facilities

1. Sewer

The proposed manufactured home park will be served by a shared septic system. The shared septic system will require review through the Flathead City-County Environmental Health Department as well as Montana DEQ when installed and permitted.

2. Water

The proposed manufactured home park will be served by a shared well. The shared well will require review through the Flathead City-County Environmental Health Department as well as Montana DEQ when installed and permitted.

3. Storm Water Drainage

The application indicates stormwater mitigation will be handled onsite. Flathead City-County Environmental Health commented on the proposal and indicated the property would require further review. The permit will be conditioned to ensure compliance with the Flathead City-County Environmental Health Department and Montana Department of Environmental Quality.

Finding #6 – There appears to be adequate availability of sewer, water and storm drainage for the proposed use because the development will utilize a shared well and septic system and will require further review through the Flathead City-County Environmental Health Department and Montana Department of Environmental Quality.

4. Fire Protection

The South Kalispell Fire Department serves the subject property and is located approximately 0.7 miles south of the subject property. The location of the fire station relatively close to the subject property indicates response times in the event of an emergency would be reasonable.

5. Police Protection

The Flathead County Sheriff's Department serves the property and the proposed use would likely have low demand for police protection services because of the residential nature of the

manufactured home park. The location of the proposed manufactured home park near Kalispell indicates response times requiring police services would be reasonable.

Finding #7 – The proposed use appears to have acceptable impacts on public services and facilities because the manufactured home park will be served by the South Kalispell Fire Department and Flathead County Sheriff.

6. Streets

As mentioned previously, the proposed development is located at 616 Willow Glen Drive which is a paved MDT maintained road with a 60 foot easement. The proposed development shows one road with a 92 foot cul-de-sac accessing the spaces. The interior road will be designed and constructed to Flathead County Road and Bridge Department Standards. The applicants will be required to obtain or update an existing approach permit through MDT.

Finding #8 – The streets in and around the proposed development appear adequate because the interior road will be required to meet appropriate standards, the property is located adjacent to an MDT maintained road, and the applicants will be required to obtain or upgrade their approach permit from the Montana Department of Transportation.

D. Immediate Neighborhood Impact

1. Excessive Traffic Generation

Staff utilizes the Institute of Transportation Engineers (ITE) Trip Generation Manual to provide traffic counts for the manufactured home park. The trip generation rate for a manufactured home park is approximately five (4.99) trips per dwelling unit. The manufactured home park will have 13 dwelling units when fully built and can expect approximately 65 average daily trips by this standard. According to the 2018 traffic counts by MDT, Willow Glen Drive at this location has an Average Daily Traffic (AADT) of 4,872. The addition of 65 vehicle trips will result in an increase of approximately 0.01 percent at this location on Willow Glen Drive.

Finding #9 – The proposed use appears to have acceptable impacts on the traffic in the immediate area because the traffic generated by the proposed development is expected to result in an increase of 0.01 percent on Willow Glen Drive.

2. Noise or Vibration

The manufactured home park is not expected to generate noise atypical of any residential development.

3. Dust, Glare or Heat

The proposed use is not anticipated to generate glare or heat that would adversely impact the neighborhood as the proposed use is residential in nature.

4. Smoke, Fumes, Gas, or Odors

It is not expected that the proposed use would generate smoke, fumes, gas, or odors atypical of a residential development and would have a minimal impact on the neighborhood.

5. Inappropriate Hours of Operation

There are no proposed hours of operation as the proposed use is residential in nature.

Finding #10 – The proposed use is not anticipated to impact the surrounding neighborhood because the proposed expansion will not likely create noise, vibration, glare, heat, smoke, fumes, gas or odors out of character with the setting, and there are no hours of operation as the proposed use is residential.

E. Additional Criteria -

1. 4.5.6 – Flathead County Subdivision Regulations – Manufactured or Mobile Home Park Standards

a. Road Requirements:

- i. One-way roads must be at least a 15-foot wide travel surface. There are no one-way roads planned for the development.
- ii. Two-way roads must be at least a 24-foot wide travel surface. All roads within the development will be required to meet this standard.
 - iii. Roads must be designed to allow safe placement and removal of manufactured homes.

The site plan submitted with the application along with along with the acreage of the property indicates these standards will be able to be met. The permit will be conditioned to meet this standard.

b. Lot/Space requirements:

- i. Manufactured home lots/spaces shall be arranged to permit safe and practical placement and removal of manufactured homes.
- ii. The minimum lot width shall not be less than 50 feet and the minimum lot area shall be 5,000 square feet for single-wide manufactured homes and 6,000 square feet for double-wide manufactured homes. Triple-wide manufactured homes shall have a minimum lot/space area of 10,000 square feet.
 - A. All manufactured homes shall be located at least 25 feet from any property boundary line abutting a public road or highway right-of-way and at least 15 feet from the other outer boundaries of the park.
 - B. The manufactured home pad, all buildings, structures and manufactured homes shall be at least 10 feet from the road providing access to it.
 - C. A manufactured home shall not occupy more than one-third of the lot/space area. The total area occupied by a manufactured home and its roofed accessory buildings and structures shall not exceed two-thirds of the area of the lot/space.
 - D. No manufactured home or its attached structures, such as awnings or carports shall be located within 20 feet of any other manufactured home or its attached structures.
 - E. No detached structure, such as a storage shed, shall be located within five feet of any manufactured home or its attached structures.
 - F. The Commission shall require that the manufactured home pad be improved to provide adequate support for the placement and tiedown of the manufactured home.

All spaces indicated on the site plan meet the 50-foot minimum lot width and 5,000 square foot minimum lot area. The manufactured home park will be conditioned to adhere to the standards listed above.

c. A minimum of two parking spaces shall be provided for each manufactured home lot. In addition, guest parking at the ratio of one space for every five units. Each parking space shall measure nine feet by twenty feet (9x20).

The site plan indicates two parking spots per space with the parking area of nine (9) feet by 20 feet indicated on the proposed lots 2 through 6 and 8 through 12. Lots 1, 13 and 7 have a parking area measuring nine (9) feet by 60 feet which will accommodate the required two parking spots plus an additional spot for guest parking, meeting the required two parking spots plus three additional guest parking spots. The parking requirements will be conditioned to ensure compliance.

d. The limits of each manufactured home lot shall be clearly marked on the ground by permanent flush stakes, markers or other suitable means. Location of lot limits on the ground shall be approximately the same as shown on the approved plans.

The permit will be conditioned to ensure compliance with the standard listed above.

e. Each manufactured home shall be skirted within 30 days after it is moved on a lot within the manufactured home park. The skirting shall be of fire resistant material complementary to that of which the manufactured home park exterior is constructed.

The permit will be conditioned to ensure compliance of the above standard.

f. All electrical lines serving the subdivision shall be underground, designed and constructed in accordance to the most recent edition of the 'National Electric Code.'

The permit will be conditioned to meet the above standard.

g. Where oil or propane gas heating of a manufactured home is necessary, a fuel storage facility shall be provided on the manufactured home site not to exceed a three hundred (300) gallon capacity. The storage facility shall extend no higher than six feet above ground level and shall be located and screened to blend with its surroundings.

The manufactured home park is not expected to utilize oil or propane gas heating and subsequent fuel storage facilities. If the manufactured home park utilizes these facilities in the future, it will be required to meet this standard.

- h. All gas systems serving the subdivision shall be designed and constructed in accordance with the most recent edition of the 'National Fuel Gas Code' and the 'Standard for the Storage and Handling of Liquefied Petroleum Gases.'
 - i. A readily accessible and identifiable shutoff valve controlling the flow of gas to the entire gas piping system shall be installed near the point of connection of the liquefied petroleum gas container.
 - ii. Each manufactured home shall have an accessible, listed gas shutoff installed. The valve shall not be located under a manufactured home. Whenever a manufactured home lot outlet is not in use, the shutoff valve shall be plugged to prevent accidental discharge.

The application does not indicate the proposed development will be served by gas. If the manufactured home park utilizes these facilities in the future, it will be required to meet this standard. The development will be conditioned to ensure compliance of the above standards.

i. A comprehensive site plan that includes road and pad layout, amenities, perimeter fencing if proposed, and site landscaping (entrance and perimeter buffering) shall be submitted with the application.

An acceptable comprehensive site plan that included road, pad and parking layout, was submitted with the application (figure 3).

Finding #11 – The proposed development appears acceptable because the permit will be conditioned to meet the requirements outlined in the Flathead County Subdivision Regulations Section 4.5.6 – Manufactured Home Park Standards.

V. SUMMARY OF FINDINGS

- 1. There appears to be adequate usable space on the subject property for the proposed use because the proposed development meets density standards, there are options to meet the required open space, and all the proposed lots (spaces) meet the minimum requirement for space sizes as outlined in the Flathead County Subdivision Regulations and the Flathead County Zoning Regulations.
- 2. The access appears adequate for the proposed use because the property has legal and physical access to Willow Glen Drive that meet the standards of the Flathead County Zoning Regulations and the proposed approach will require review through MDT.
- 3. The site appears suitable for the proposed use because the property has no apparent creeks, steams or wetlands, is relatively flat, and is outside the Special Flood Hazard Area.
- 4. The parking and traffic circulation appear adequate for the manufactured home park with conditions because the property is large enough to accommodate the increase in traffic circulation and the required parking spaces.
- 5. The proposed uses appears to be adequately designed because the manufactured home park complies with Flathead County Zoning Regulations and the conditional use permit will be conditioned to ensure compliance.
- 6. There appears to be adequate availability of sewer, water and storm drainage for the proposed use because the development will utilize a shared well and septic system and will require further review through the Flathead City-County Environmental Health Department and Montana Department of Environmental Quality.
- 7. The proposed use appears to have acceptable impacts on public services and facilities because the manufactured home park will be served by the South Kalispell Fire Department and Flathead County Sheriff.
- 8. The streets in and around the proposed development appear adequate because the interior road will be required to meet appropriate standards, the property is located adjacent to an MDT maintained road, and the applicants will be required to obtain or upgrade their approach permit from the Montana Department of Transportation.
- 9. The proposed use appears to have acceptable impacts on the traffic in the immediate area because the traffic generated by the proposed development is expected to result in an increase of 0.01 percent on Willow Glen Drive.
- 10. The proposed use is not anticipated to impact the surrounding neighborhood because the proposed expansion will not likely create noise, vibration, glare, heat, smoke, fumes, gas or odors out of character with the setting, and there are no hours of operation as the proposed use is residential.
- 11. The proposed development appears acceptable because the permit will be conditioned to meet the requirements outlined in the Flathead County Subdivision Regulations Section 4.5.6 Manufactured Home Park Standards.

VI. CONCLUSION

Upon review of this application, the request to allow for a manufactured home park is generally supported by the review criteria and the Findings of Fact listed above. Should the Flathead County Board of Adjustment choose to adopt staff report FCU-20-02 as Findings of Fact and approve the conditional use permit, the following conditions would ensure compliance with the review criteria and appropriate measures to mitigate impacts:

VII. CONDITIONS OF APPROVAL

- 1. The manufactured home park on the subject property shall be in substantial conformance with the application materials and site plan as submitted and approved by the Board of Adjustment and modified by the conditions below [FCZR Section 2.06.010].
- 2. Changes or modifications to the approved use or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustment [FCZR Section(s) 2.06.010 and 2.06.020].
- 3. The approved use shall conform to the applicable standards of the *R-5* zoning designation [FCZR Section 3.14].
- 4. Current and future lighting installed on the property shall be in compliance with Section 5.12 of the Flathead County Zoning Regulations.
- 5. The proposed water, wastewater treatment, and storm water drainage systems for the Manufactured Home Park shall be reviewed as applicable by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. A copy of the approved permit shall be available at Flathead County Planning and Zoning.
- 6. All vehicular access for the use including internal traffic circulation areas shall be clearly established and demarcated in compliance with all applicable provisions of Chapter VI and Appendix A of the Flathead County Zoning Regulations.
- 7. The applicants shall obtain an updated approach permit, per Section 6.16.020(4) [FCZR]. A copy of the approved permit shall be available upon request by Flathead County Planning and Zoning.
- 8. Manufactured home lots/spaces shall be arranged to permit safe and practical placement and removal of manufactured homes.
- 9. The minimum lot width shall not be less than 50 feet and the minimum lot area shall be 5,000 square feet for single-wide manufactured homes and 6,000 square feet for double-wide manufactured homes. Triple-wide manufactured homes shall have a minimum lot/space area of 10,000 square feet.
 - a. All manufactured homes shall be located at least 25 feet from any property boundary line abutting a public road or highway right-of-way and at least 15 feet from the other outer boundaries of the park.
 - b. The manufactured home pad, all buildings, structures and manufactured homes shall be at least 10 feet from the road providing access to it.
 - c. A manufactured home shall not occupy more than one-third of the lot/space area. The total area occupied by a manufactured home and its roofed accessory buildings and structures shall not exceed two-thirds of the area of the lot/space.
 - d. No manufactured home or its attached structures, such as awnings or carports shall be located within 20 feet of any other manufactured home or its attached structures.
 - e. No detached structure, such as a storage shed, shall be located within five feet of any manufactured home or its attached structures.
- 10. A minimum of two parking spaces shall be provided for each manufactured home lot. In addition, guest parking at the ratio of one space for every five units. Each parking space shall measure nine feet by twenty feet (9x20).

- 11. The limits of each manufactured home lot shall be clearly marked on the ground by permanent flush stakes, markers or other suitable means. Location of lot limits on the ground shall be approximately the same as shown on the approved plans.
- 12. Each manufactured home shall be skirted within 30 days after it is moved on a lot within the manufactured home park. The skirting shall be of fire resistant material complementary to that of which the manufactured home park exterior is constructed.
- 13. All electrical lines serving the subdivision shall be underground, designed and constructed in accordance to the most recent edition of the 'National Electric Code.'
- 14. Where oil or propane gas heating of a manufactured home is necessary, a fuel storage facility shall be provided on the manufactured home site not to exceed a three hundred (300) gallon capacity. The storage facility shall extend no higher than six feet above ground level and shall be located and screened to blend with its surroundings.
- 15. The conditional use permit shall terminate twelve (12) months from the date of authorization if commencement of the activity has not begun, unless the applicant can demonstrate and maintain a continuous effort in good faith in commencing the activity. [FCZR Section 2.06.060].
- 16. At the end of 12 months from the date of authorization of this permit staff will inspect to verify compliance [FCZR Section 2.06.060].

Planner: dv